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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/203,004	02/28/1994	DAVID BERD	1225/0C674	2699

7590 03/12/2002

DARBY & DARBY PC  
805 THIRD AVENUE  
NEW YORK, NY 10022

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED: 03/12/2002

52

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1642

1. The Appeal Brief filed on December 28, 2001 (Paper No. 51) in response to the Office Action of July 5, 2001 (Paper No. 48) is acknowledged and has been entered.
2. The Appeal Brief is defective because the Brief does not comply with the requirements of 37 CFR 1.192 because:

(1) Although the Summary of the Invention does include reference to page and line numbers drawn to a hapten, no other reference to page and line numbers is recited in the Summary. The invention is drawn not only to haptens but also to a composition comprising haptenized tumor cells and a method for treating a malignant tumor. The Summary of the Invention is a concise explanation of the invention defined in the claims involved in the appeal and shall refer to the specification by page and line number and to the drawing, if any, by reference characters. While reference to page and line number of the specification may require somewhat more detail than simply summarizing the invention, it is considered important to enable the Board to more quickly determine where the claimed subject matter is described in the application. The single reference to page and line numbers drawn to a hapten is not sufficient to meet the requirements of 37 CFR 1.192(c)(5). See MPEP 1206, Section 5.

(2) Under 37 CFR 1.192(c)(7) Appellant is required to, in the argument under paragraph (c)(8) explain why the claims of the group are believed to be separately patentable. Merely pointing out differences in what the claims cover is not an argument as to why the claims are separately patentable. Merely stating in the Grouping of the Claims section that the claims have distinct features and patentability considerations does not explain why the claims are separately patentable. See MPEP 1206, Section 5.

Art Unit: 1642

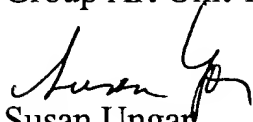
To avoid dismissal of the appeal, appellant must submit an appeal brief in compliance with the requirements of these sections within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or, (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Ungar, PhD whose telephone number is (703) 305-2181. The examiner can normally be reached on Monday through Friday from 7:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached at (703) 308-3995. The fax phone number for this Art Unit is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Effective, February 7, 1998, the Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1642.



Susan Ungar

Primary Patent Examiner  
February 14, 2002